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CITY OF TUCSON DEVELOPMENT SERVICES DEPARTMENT

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**Sign Code Advisory & Appeals Board**  
**201 N. Stone Ave**  
**Basement Conference Room "C"**  
**Tucson, AZ 85701**

**NOTICE OF DECISION**  
**Case No. S-07-21**  
**5150 E. Broadway Boulevard**  
**Chili's**

<b><u>Public Hearing:</u></b>	December 12, 2007
<b><u>Board Members Present:</u></b>	John Roberts, Frank Mascia, Sharon Emley Leigh Robinson, Roger Sliker, Jim Ayres
<b><u>Staff Absent:</u></b>	Stephen Bohn,
<b><u>Staff Present:</u></b>	Chuck Stephenson, Michael McCrory, Gioia Sanderson, Sue Montes
<b><u>Owner:</u></b>	Binker Restaurant Corporation
<b><u>Applicant:</u></b>	Addisigns, Mike Addis
<b><u>Speakers:</u></b>	Mike Addis

On property located at 5150 E. Broadway Boulevard, PAD-1 zoning, Special District, The applicant is requesting a **special permit** for signs that are designed into and constructed as part of an integrated architectural feature of a building. The requested **special permit** would allow a three-dimensional figure of a "chili pepper" to be placed below the canopy on one of the supports and allow (1) one double face "to go" sign on a pole that extends above a canopy. The canopies will be constructed as part of a major remodel to the existing building, as an architectural feature. The requested **special permit** would allow the applicant to place a 4'-3" X 7'-6" three-dimensional "chili pepper" on a pipe that supports the canopy on the northwest corner of the building and a 3'-0" X 3'-8" double-faced "to go" sign on a pipe that extends above the canopy located on the west side of the building.

Tucson Sign Code, Chapter 3, Article V, General Requirements and Limitations, Section 3-55, Integrated Architectural Features. "In order to encourage and promote a harmonious relationship between buildings and signs, the Sign Code Advisory and Appeals Board shall have the authority to approve a special permit in accordance with Article XIV of this chapter, for signs which are designed into and constructed as part of an integrated architectural feature of a building where the strict application of the provisions of this chapter would otherwise prohibit such signs".

Mr. Roberts excused himself from this case due to a conflict of interest.

**Mrs. Emley made a motion to accept the canopies and signage as integrated architectural features of the building and recommends Special Permits be granted, seconded by Mr. Ayres. Vote passes 3-2.**  
(The request was for a Special Permit not for a variance and only required a majority vote to pass)

**DECISION – SPECIAL PERMIT GRANTED:** The Board granted the requested special permit based on the fact that the canopies and signage are an integrated architectural feature of the building.

**IMPORTANT NOTICES:** (1) IN CASES GRANTED THAT REQUIRE A SIGN PERMIT, PERMIT MUST BE SECURED FROM THE DEVELOPMENT SERVICES DEPARTMENT (DSD) WITHIN 180 DAYS FROM THE DATE OF THIS MEETING. THE DSD DIRECTOR MAY GRANT AN ADDITIONAL 180 DAYS EXTENSION FOR GOOD CAUSE. (2) THE DECISION OF THE BOARD MAY BE APPEALED TO THE MAYOR AND COUNCIL BY FILING AN APPEAL WITH THE CITY CLERK WITHIN 15 DAYS AFTER THE DECISION OF THE BOARD, OR BY FILING A COMPLAINT FOR SPECIAL ACTION IN THE SUPERIOR COURT WITHIN 30 DAYS AFTER THE DECISION OF THE BOARD.

**(A CASSETTE RECORDING OF THIS MEETING IS AVAILABLE UPON REQUEST AT THE CITY CLERK'S OFFICE.)**

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**Sue Montes**  
**Secretary**  
**Development Services Department**